

**ST. JOHNSCITY COUNCIL
REGULAR MEETING& PUBLIC HEARING
MINUTES
March 14, 2013**

The regular meeting was duly posted. Mayor Fred Nielsen called the meeting to order at approximately 6:37pm in the Board of Supervisors Meeting Room at the County Annex.

ROLL CALL: Mayor Fred Nielsen, Vice Mayor Ryan Ashton, Councilwoman Kay Hauser, Councilman Pete Hancock, Councilman Ryan Patterson, Councilman Michael Cirivello, and Councilman Spence Udall

ABSENT: None

STAFF PRESENT: Interim City Manager Paul Ramsey, City Attorney Bryce Patterson, Finance Director/City Clerk Evan Nelson, Police Chief Donny Jones, Assistant Fire Chief Jason Kirk, Assistant EMS Chief Jean Kirk, Deputy City Clerk Kim Cowley, and Airport Manager/Fire Chief Gary Liston.

OTHERS PRESENT: Kristl Jones, Malena Bazarro, Sandy Liston, Lenora Fulton, Payton Jones, Donny Jones, and Robert Vallejos.

INVOCATION: Paul Ramsey

PLEDGE: Evan Nelson

CALL TO THE PUBLIC

No public spoke.

CONSENT AGENDA

- 1. Consider approval of revised December 13, 2012 Regular Meeting Minutes, January 16, 2013 Special Meeting Minutes, and February 27, 2013 Special Meeting Minutes.**
- 2. Payment of bills for January 2013 and February 2013.**

MOTION

Motion was made by Vice Mayor Ashton to approve the consent agenda items as stated. Motion was seconded by Mayor Nielsen.

Motion passed 7-0.

REGULAR MEETING AGENDA

3. Presentation from former St. Johns Regional Chamber of Commerce.

Sandy Liston complimented the City and its workers for the ongoing spring efforts to make the main street look nice. The Chamber Board made the decision to close the chamber, it has taken several months to get it done and pay all the bills. The remaining funds left in the account amount to \$1,191.43. The Board decided to present the City with those funds to be used for the July 4th activities in any way the City decides, as the Board was very pleased with the celebration this last year and would like to see the same happen this next year.

4. Consider request regarding reimbursement for sewer line.

Mr. Matt Montoya mentioned a letter that he had written to the City a month prior to this meeting. He explained that he paid for sewer line in 1980. Mr. Ramsey explained where the exact line extension was located, and that Mr. Montoya had paid for the materials, and the City employees did the excavation and installation. Mr. Montoya explained that a member of the City Council Mr. Raymond Isaacson had promised that when future houses were built and hooked up to the sewer line Mr. Montoya would be paid back for his expenses as there were no houses there back then. Mr. Montoya gave them the easement to go through his property and hook into his line. Mr. Montoya also had a trailer park with 20 spaces at the location which were served by the sewer lines. Mr. Montoya requested the sum of \$10,000.00. City owned sewer lines and tie in places for homes along the street there was discussed. Mayor Nielsen requested further research with exact measurement of distances, costs of materials; and documentation from that time period. Mr. Ramsey asked Mr. Montoya if there was any kind of written agreement. Mr. Montoya said "No." Councilman Udall asked Mr. Montoya if he had any cancelled checks and/or receipts. Mayor interrupted and requested that further investigation be done so the meeting could move on.

5. Fiscal Year 2012 Audit Presentation.

Audit presentation from HitonBurdick, PLLC was done by Michael Spilker, CPA. Audit materials are included in packet for the meeting. Discussion after the presentation included questions regarding the airport. Mayor indicated that SRP expenses need to be passed on to SRP instead of being paid for by the City. He strongly indicated that staff needs to aggressively put a plan together to get the recommendations of the auditors handled and off the list wherever possible. Councilman Patterson expressed the concern that the

Council needs to help Mr. Nelson keep the financial duties as a priority over other directions that he is frequently pulled. Mayor also said that this audit was better than any of the ones from the last three years which is a good thing.

6. Consider approving changes to fee schedule for training classes provided at the Swimming Pool.

Evan Nelson spoke for Bonnie Cain who couldn't attend. He outlined the changes proposed from the memo Bonnie sent to him for three fee changes.

- Water Safety from \$150.00 to \$200.00
- Lifeguard Training from \$80.00 to \$100.00
- Jr. Lifeguard from \$40.00 to \$50.00

Confidence was expressed in Bonnie by Mayor Nielsen and Councilman Cirivello.

MOTION:

Motion was made by Mayor Nielsen to approve the change of the fee schedule as proposed by Bonnie Cain in her memo.

Motion was seconded by Councilman Cirivello.

Motion Passed: 7-0

7. PUBLIC HEARING: Receive public input and consider possible Community Development Block Grant Projects.

Malena Bazarro led the discussion. She informed the Council that she and Evan Nelson had recently attended a workshop at NACOG for CDBG and our allotment of funds is going to be reduced by 5%. Previously discussed projects were discussed with NACOG in detail.

- Mountain View Waterline – finish construction and increase capacity.
- Construction of Fire Dept. Facility by Airport
- Main Street Sidewalk Improvement, Landscaping & Lighting
- Street Lighting along 4th North in front of fairgrounds and little league fields.
- Purchase of trailers and removal on 7th South across from the Middle School – purchasing, demolition, and discussion of what to do with the property afterwards.
- Spot Slum and Blight – cleanup of strategic areas in the community based on the income of the owners of the properties. We considered the six burned buildings within the community.

All projects have to meet the low to moderate income guidelines. A possible income survey might be needed depending on the 2010 Census data which has not been issued yet. Current data is from 2000. If we do not wait for census data the City would have to pay for its own survey. No public wished to speak on the projects. Council and Staff had questions regarding income requirements for Malena. Council members discussed their thoughts on what

would help the City the most. Public opinion was asked for a second time, no one wished to speak.

8. Consider approving a prioritized list of possible CDBG projects.

For discussion see item 7.

MOTION:

Motion was made by Vice Mayor Ashton to prioritize the top three proposed projects in the order of:

1. Mountain View Waterline Loop
2. Sidewalks, Streetlights, Landscaping in Downtown.
3. Fire Station construction.

Motion was seconded by Councilman Patterson.

Motion Passed: 7-0

9. City Hall Project. Consider entering into an agreement with Torrison Consulting for Construction Managements/Program Manager Services on City Hall Project.

Attorney Bryce Patterson expressed a concern regarding section 9.4 regarding manager fees if project was terminated early for any reason. Mayor Nielsen also expressed concern with the cost of those fees. Council directed Mr. Patterson to revise the contract and send to Torrison.

10. Main Street Improvements. Consider directing staff on the use of funds for downtown Main Street Improvements.

Mr. Nelson explained that Mr. Stacy Waite had been contacted and was able to estimate engineering services for the project to be \$ 5,000.00.

MOTION:

Motion was made by Mayor Nielson to spend up to but not over \$5,000.00 of the Regional Planning Grant funds to pay for engineering services for the Downtown Development.

Motion was seconded by Councilman Patterson.

Motion Passed: 7-0

11. Consider authorizing the purchase of 54 streetlights, from Wild West Lighting, to be placed along 13th West and 7th South.

Discussion was led by Mr. Ramsey who explained the money still available for the lighting part of a 3 year old project that needs to be completed. This part of the project is for safety of students during the winter when the days are short and for regular pedestrians use. Funds available are \$171K and need to

be spent because they get raided. Solar lighting was researched but the cost was approximately \$12K each. Mayor Nielsen acknowledged Mr. Bowen Udall from the audience who expressed his concern regarding the shielding towards the sky for amateur astronomers so that in years to come stars in the sky could still be seen.

MOTION:

Motion was made by Vice Mayor Ashton to purchase Option 2 the Prairie Top Mount Fixture.

Motion was seconded by Mayor Nielsen.

Motion Passed: 6-1, Councilman Hancock Opposed.

12. Consider approval of proposed Open Outdoor Fire Ordinance 150.

Ordinance 150 was introduced by Assistant Fire Chief Jason Kirk. Mr. Kirk explained that many concerns came out of the events of the Wallow Fire. And that the fire chiefs from all districts from both Navajo and Apache counties got together to determine and define what stage 1 and stage 2 fire restrictions regarding open burning and management should be to bring conformity to operations. He indicated that there are no stage 2 fire restrictions in our current ordinance. He stated that he is proposing Ordinance 150 in the interest of public safety, and that it would replace Ordinance 101 and hopefully make it less confusing for the public. Discussion included the concerns of council members regarding wording of what's unreasonable and also what public could be told what to do by fire department or police department personnel during fire restrictions. Police department should take all enforcement responsibilities not fire department members. Also discussed was getting the red flag conditions properly out to the public so that they are informed. Mayor Nielsen with consensus of the Council directed Mr. Kirk to re-phrase the discussed issues and bring the Ordinance back to the Council in April.

13. Financial Report.

Mr. Evan Nelson discussed the major concerns with the revenues showing shortages from the projected revenues expected. Expenses were discussed with the only real concern being the Airport. Mayor Nielsen volunteered to talk with contacts at SRP regarding donating funds. Mr. Nelson informed the Council that it is time for working on the budget for the next fiscal year, and proposed work sessions in April and May with a goal for a tentative budget for the June regular Council meeting. Mayor Nielsen requested that letters go out to the next council members regarding the budgeting so that they can be prepared for voting in June at their first meeting.

14. Discussion/Action regarding personnel matters related to the Police Chief. The Council may vote to discuss this matter in executive session pursuant to A.R.S. 38-431.03(A)(1) “Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body.”

Mayor Nielsen read the above in full.

MOTION:

Motion was made by Mayor Nielsen to adjourn the executive session per A.R.S. 38-431.03(A)(1) with Council members and Chief Donny Jones. Motion was seconded by Councilman Ryan Patterson.

Motion passed 7-0.

Meeting was adjourned at 8:49 p.m.

Meeting was reconvened at 10:07 p.m.

15. City Manager’s Report.

Mr. Ramsey expressed thanks to the Fire Dept. for their help in burning weeds and trash along right of ways. The report on Potash is that they probably will not be breaking ground for nearly a year. The good news is that the report from passport potash people said they are planning on 1700 full time employees. Lots of potential for support jobs related to those full time jobs. He also thanked everyone for the support for Jordan and his family from all the people of the community and friends during the difficult time and reported on his condition.

FUTURE AGENDA ITEMS

Vice Mayor Ashton asked about evaluations for employees and a need to review the policy relating to termination of employees and the repeal process that goes along with that. Jason Kirk requested the evaluation of the Fire/Ems department be changed from March 28th. Mayor asked Evan Nelson to email and reschedule the date. Mr. Nelson also brought up the need to have a meeting to canvas the election results. It has to be sometime between March 18th and April 1st. Council members indicated preference for next week over the following week of Spring Break. Meeting was scheduled for the following Thursday, March 21st at 6:30 p.m.

ADJOURNMENT

MOTION:

Motion was made by Mayor Nielsen to adjourn the meeting.
Motion was seconded by Vice Mayor Ashton.

Motion passed 7-0.

Meeting adjourned at 10:15p.m.

Fred Nielsen, Mayor

ATTEST:

Kim Cowley, Deputy City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the St. Johns City Council held on the 14th day of July, 2011. I certify that the meeting was duly called and held and that a quorum was present.

Kim Cowley, Deputy City Clerk

*Please Note: Approved minutes are not a verbatim record of what happened at the City Council meeting, they capture a summary of the meeting as well as all actions taken. A recording of the entire meeting is available upon request at the City Clerk's office for three months following each meeting.